


REMARKS/ARGUMENTS:

The PTOL-85 Notice of Allowance and Fee(s) Due dated October 8, 2008 allowed each of claims 1-22, 27-33, and 35-36. The Applicants submitted a (first) Rule 312 Amendment dated December 12, 2008 (mailed December 15, 2008) after telephone consultation with the Examiner. This Second Rule 312 Amendment corrects grammatical errors overlooked by the earlier (first) Rule 312 Amendment. Specifically, the transition term "within" is added to dependent claims 5, 7-9, 11 and 13-14; the preamble of independent claim 12 is changed from "The apparatus comprising" to "An apparatus comprising"; antecedent basis is corrected at claim 20; claim 21 is changed from "comprises" to "comprising"; dependency of claim 22 is changed as well as the body to indicate another signal is sent when the parasitic ship is retracted/detuned for consistency with parent claim 20; and the transition term "and" is added between elements of claims 30 and 31-33. No other changes are made herein. The above listing of claims assumes entry of the changes made by the earlier (first) Rule 312 Amendment.

Entry of this Amendment will require no additional search or examination. Because this amendment corrects formal matters, MPEP 714.16 and 714.16(e) Part II grants the Examiner authority to enter this amendment at the Examiner's own discretion, even without submission to a supervisory patent examiner. The undersigned representative welcomes the opportunity to resolve any matters that may remain, formal or otherwise, via teleconference at the Examiner's discretion.

The undersigned representative notes that the (first) rule 312 Amendment improperly listed at page 1 a filing date of September 7, 2006. The proper date should be August 7, 2006.

Respectfully submitted:



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December 18, 2008
Date

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dec. 18, 2008
Date

J. Droniah
Name of Person Making Deposit